

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

ANTONIO L. DOTSON
ADC #149465

PETITIONER

V.

NO. 4:13CV00731 DPM/JTR

SHELIA SHARP, Director,
Arkansas Department of Community Correction

RESPONDENT

ORDER

Petitioner, who is currently incarcerated in the Tennessee Department of Correction, has filed an Application to Proceed Without Prepaying Fees or Costs, *Doc. #1*, a 28 U.S.C. § 2254 Petition for Writ of Habeas Corpus, *Doc. #2*, and a Brief in Support, *Doc. #3*. However, he has not provided a Certificate of Prisoner Accounts, as required by 28 U.S.C. § 1915(a) and the habeas rules, which must be completed and filed before the Court can determine whether Petitioner is eligible to proceed *in forma pauperis*. See Rules Governing § 2254 Cases in United States District Courts, Rule 3(a)(2) (providing that a habeas petitioner must submit the applicable filing fee or “a motion for leave to proceed *in forma pauperis*, the affidavit required by 28 U.S.C. § 1915, and a certificate from the warden or other appropriate officer of the place of confinement showing the amount of money or securities that the petitioner has in any

account in the institution”).

IT IS THEREFORE ORDERED THAT:

1. The Clerk of the Court is directed to send Petitioner a blank Certificate of Prisoner Accounts.
2. Petitioner must file, **within thirty (30) days of the entry of this Order**, a properly completed Certificate of Prisoner Accounts, signed by an authorized officer at the incarcerating facility.
3. Petitioner is reminded that the failure to timely and properly comply with any portion of this Order will result in dismissal of this habeas action, without prejudice, pursuant to Local Rule 5.5(c)(2).¹
4. Service of the Petition is not appropriate at this time.

¹Local Rule 5.5(c)(2) of the Rules of the United States District Court for the Eastern District of Arkansas provides: "It is the duty of any party not represented by counsel to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently. A party appearing for himself/herself shall sign his/her pleadings and state his/her address, zip code, and telephone number. *If any communication from the Court to a pro se plaintiff is not responded to within thirty (30) days, the case may be dismissed without prejudice.* Any party proceeding pro se shall be expected to be familiar with and follow the Federal Rules of Civil Procedure." (Emphasis added.)

DATED THIS 2nd DAY OF January, 2014.


UNITED STATES MAGISTRATE JUDGE